

042004

15992 U.S. PTO

Case Docket No.: NUS 8 DIV I

17302 U.S. PTO
10/828477

042004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing is the patent application of:

Inventor: Swee Hin Teoh et al.

For: THREE-DIMENSIONAL BIORESORBABLE SCAFFOLDS FOR TISSUE ENGINEERING APPLICATIONS

Enclosed are:

- ☒ 7 sheets of drawings.
- ☐ An assignment of the invention to: _____
- ☐ A verified statement to establish small entity status.
- ☒ REQUEST FOR FILING RULE 1.53(B) DIVISIONAL APPLICATION.

The filing fee has been calculated as shown below:

Small Entity					Large Entity	
For:	No. Filed	No. Extra	Rate	Fee	Rate	Fee
Basic Fee				\$385.00		\$770.00
Total Claims	9 - 20	0	x \$ 9.00		x \$18.00	0.00
Ind. Claims	1 - 3	0	x \$43.00		x \$ 86.00	86.00
Mult. Claims			+ \$145.00		+ \$290.00	
Total				\$385.00		

☐ Please charge my Deposit Account No. 16-0221 to cover the filing fee and assignment recording fee. A duplicate copy of this sheet is enclosed.

☒ A check in the amount of \$ 385.00 to cover the filing fee is enclosed.

☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 16-0221. A duplicate copy of this sheet is enclosed.

- ☒ Any additional filing fees required under 37 CFR 1.16.
- ☒ Any patent application processing fees under 37 CFR 1.17.

☒ The Commissioner is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Deposit Account No. 16-0221. A duplicate copy of this sheet is enclosed.

- ☒ Any patent application processing fees under 37 CFR 1.17.
- ☐ The issue fee set in 37 CFR 1.18 at or before mailing of the Notice of Allowance, pursuant to 37 CFR 1.311(b).
- ☒ Any filing fees under 37 CFR 1.16 for presentation of extra claims.

Respectfully submitted,

James A. Sheridan 4/20/04
James A. Sheridan
Pandiscio & Pandiscio
470 Totten Pond Road
Waltham, Massachusetts 02154
Tel. (781) 290-0060

KT/NUS8DIVI.FEE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE REQUESTED FILING OF RULE 1.53(B)
DIVISIONAL PATENT APPLICATION BASED ON
THE FOLLOWING PENDING PRIOR PATENT APPLICATION:

In re Application of: Swee Hin Teoh et al.
Serial No.: 09/957,407
Filing Date: 09/20/2001
Title: THREE-DIMENSIONAL BIORESORBABLE
SCAFFOLDS FOR TISSUE ENGINEERING
APPLICATIONS
Group Art Unit: 1732
Examiner: Leo B. Tentoni
Attorney's Docket No.: NUS-8

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

FILING OF PATENT APPLICATION UNDER 37 CFR 1.10

The attached Rule 1.53(B) divisional application is being
filed under the provisions of 37 CFR 1.10.

"EXPRESS MAIL" MAILING LABEL NUMBER ER720825275US

DATE OF DEPOSIT April 20, 2004

I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING
DEPOSITED WITH THE UNITED STATES POSTAL SERVICE
"EXPRESS MAIL POST OFFICE TO ADDRESSEE" SERVICE UNDER
37 CFR 1.10 ON THE DATE INDICATED ABOVE AND IS ADDRESSED
TO THE COMMISSIONER FOR PATENTS, PO BOX 1450, ALEXANDRIA,
VA 22313-1450.

James A. Sheridan

(PERSON MAILING)

James A. Sheridan 4/20/04
(SIGNATURE)

Respectfully submitted,

James A. Sheridan 4/20/04

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Registration No. 43,114
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Tel. (781) 290-0060

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE REQUESTED FILING OF RULE 1.53(B)
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Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

REQUEST FOR FILING RULE 1.53(B) DIVISIONAL APPLICATION

This is a request for filing a divisional application, in accordance with Rule 1.53(B), of pending prior application Serial No. 09/957,407, filed 09/20/2001 by Swee Hin Teoh et al. for THREE-DIMENSIONAL BIORESORBABLE SCAFFOLDS FOR TISSUE ENGINEERING APPLICATIONS (Attorney Docket No. NUS-8), which in turn claims benefit of prior U.S. Provisional Patent Application Serial No. 60/233,874, filed 09/20/2000 by Swee Hin Teoh et al. for THREE-DIMENSIONAL BIORESORBABLE SCAFFOLDS FOR TISSUE ENGINEERING APPLICATIONS (Attorney Docket No. NUS-8 PROV).

Submitted with this request are the following:

1. A true copy of said prior application Serial No. 09/957,407 (including specification, claims, drawings, an unsigned Declaration and Power of Attorney, and a NONPUBLICATION REQUEST, all as originally filed);

2. A copy of RESPONSE TO OUTSTANDING NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION - FILING DATE

NUS-8 DIV I

GRANTED, including a signed Declaration and Power of Attorney and a Duplicate Copy of Notice to File Missing Parts;

3. An AFFIDAVIT by an attorney of record verifying that the enclosed copy of said pending prior application Serial No. 09/957,407 is a true copy thereof;

4. A PRELIMINARY AMENDMENT which amends the application to show that it is a division of parent application Serial No. 09/957,407 and cancels claims 1-39 and 49;

5. A check in the amount of \$385.00 covering the filing fee, calculated on the basis of the claims filed and the claims cancelled by the enclosed Preliminary Amendment, this fee having been calculated on the basis of Small Entity status; and

6. A mailing certificate indicating that this submittal is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service on April 20, 2004 as provided for under 37 CFR 1.10.

The Power of Attorney in the prior application is to Pandiscio & Pandiscio, a firm composed of Nicholas A. Pandiscio, Registration No. 17293, Mark J. Pandiscio, Registration No. 30883, Scott R. Foster, Registration No. 20570, and James A. Sheridan, Registration No. 43114, or any of them, all of 470 Totten Pond Road, Waltham, MA 02154-1914 (Telephone No. 781-290-0060).

The inventors named in this divisional application are the same inventors named in the prior application Serial No. 09/957,407.

The Commissioner is also authorized to prepare a certified copy of said prior copending application if the same is deemed to be necessary and to charge the cost of same to Deposit Account No. 16-0221.

Please address all communications in this matter to:

Mark J. Pandiscio
Pandiscio & Pandiscio
470 Totten Pond Road
Waltham, Massachusetts 02154.

Thank you.

Respectfully submitted,

James A. Sheridan 4/20/04

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Fax (781) 290-4840

KT/NUS8DIVI.REQ

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE REQUESTED FILING OF RULE 1.53(B)
DIVISIONAL PATENT APPLICATION BASED ON
THE FOLLOWING PENDING PRIOR PATENT APPLICATION:

In re Application of: Swee Hin Teoh et al.
Serial No.: 09/957,407
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Group Art Unit: 1732
Examiner: Leo B. Tentoni
Attorney's Docket No.: NUS-8

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

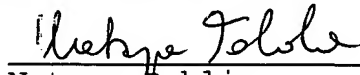
AFFIDAVIT VERIFYING APPLICATION

Commonwealth of Massachusetts
County of Middlesex

I, James A. Sheridan, being duly registered to practice before the U.S. Patent and Trademark Office, and being duly sworn, depose and state that: I am attorney of record in the above-identified pending prior application Serial No. 09/957,407, filed 09/20/2001 by Swee Hin Teoh et al. for THREE-DIMENSIONAL BIORESORBABLE SCAFFOLDS FOR TISSUE ENGINEERING APPLICATIONS, and that the enclosed application is a true copy of the above-identified prior application Serial No. 09/957,407 as filed, and that no amendments referred to in the oath or declaration filed to complete the prior patent application Serial No. 09/957,407 introduced new matter therein.


James A. Sheridan
Registration No. 43,114

Sworn to before me this 20th day of April, 2004.


Notary Public
My commission expires: 4/17/09

**NONPUBLICATION REQUEST
UNDER
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor

Swee Hin Teoh et al.

Title

THREE-DIMENSIONAL BIORESORBABLE SCAFFOLDS FOR TISSUE ENGINEERING...

Atty Docket Number

NUS-8

I hereby certify that the invention disclosed in the attached application has **not** and **will not** be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

September 20, 2001

Date

 9/20/01

Signature

Mark J. Pandiscio

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application upon filing.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**